

- 7) He will participate in a program of mental health treatment, to include inpatient, with a treatment provider and on a schedule approved by the U.S. Probation Office in the Northern District of Oklahoma.

The Court of Appeals for the Tenth Circuit held that Mr. Fontenot may seek bond while the appeal is pending. This Court is charged with determining the conditions necessary to allow for Mr. Fontenot's release while the appeal continues. Pursuant to Federal Rule of Appellate Procedure 23(c), "[w]hile a decision ordering the release of a prisoner is under review, the prisoner must — unless the court or judge rendering the decision, or the court of appeals, or the Supreme Court, or a judge or justice of either court orders otherwise — be released on personal recognizance, with or without surety." Mr. Fontenot is indigent, therefore, release on his own recognizance is merited. The conditions set forth herein fairly alleviate any security concerns for the Court and Respondent. Mr. Fontenot requests that this Court impose the conditions of release requested and if there are concerns about those conditions, order a hearing to discuss those issues.

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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2019, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Eastern District of Oklahoma by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

By: /S/ Robert Ridenour